

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

IN RE STATE STREET BANK AND TRUST
CO. ERISA LITIGATION

This document relates to:

ALL ACTIONS

07 Civ. 8488 (RJH)

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 8/8/08

MEMORIAL HERMANN HEALTH CARE
SYSTEM, et al.,

Plaintiffs,

-v-

STATE STREET BANK & TRUST CO., et al.,

Defendants.

08 Civ. 5440 (RJH)

HOUSTON POLICE OFFICERS PENSION
SYSTEM,

Plaintiff,

-v-

STATE STREET BANK & TRUST CO., et al.,

Defendants.

08 Civ. 5442 (RJH)

ORDER

The Clerk of Court is directed to consolidate, for pretrial purposes only, the actions with docket numbers 08 Civ. 5440 and 08 Civ. 5442 with those cases previously consolidated under

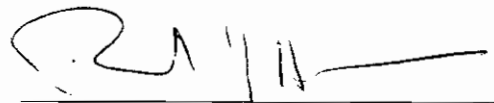
the above caption, "In re State Street Bank and Trust Co. ERISA Litigation," 07 Civ. 8488, pursuant to Rule 42(a) of the Federal Rules of Civil Procedure. *See Devlin v. Transp. Commc'ns Int'l Union*, 175 F.3d 121, 130 (2d Cir. 1999) ("A district court can consolidate related cases under Federal Rule of Civil Procedure 42(a) sua sponte.").

Filings in any of the consolidated actions should indicate in the caption the docket numbers of the particular action(s) to which the document relates.

All parties to this consolidated action are directed to appear on September 22, 2008 at 10:30 a.m. in the Courtroom of the Honorable Richard J. Holwell, Courtroom 17B, 500 Pearl Street, New York, New York 10007 for a status conference. At that time, the Court will hear oral argument on the pending motion to dismiss in the *Prudential* action, 07 Civ. 8488.

SO ORDERED.

Dated: New York, New York
August 8, 2008

A handwritten signature in black ink, appearing to read 'R. J. Holwell', written over a horizontal line.

Richard J. Holwell
United States District Judge